

# House File 546 - Introduced

HOUSE FILE \_\_\_\_\_  
BY KELLEY

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act increasing the penalties for sexually related criminal  
2 offenses committed against a minor.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
4 TLSB 2225HH 83  
5 jm/rj/8

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1 1 Section 1. Section 709.8, unnumbered paragraph 2, Code  
1 2 2009, is amended to read as follows:  
1 3 Any person who violates a provision of this section  
1 4 ~~involving an act included in subsection 1 or 2 shall, upon~~  
1 5 conviction, be guilty of a class "C" felony. ~~Any person who~~  
~~1 6 violates a provision of this section involving an act included~~  
~~1 7 in subsection 3 or 4 shall, upon conviction, be guilty of a~~  
~~1 8 class "D" felony.~~  
1 9 Sec. 2. Section 709.11, Code 2009, is amended to read as  
1 10 follows:  
1 11 709.11 ASSAULT WITH INTENT TO COMMIT SEXUAL ABUSE.  
1 12 Any person who commits an assault, as defined in section  
1 13 708.1, with the intent to commit sexual abuse is guilty of a  
1 14 class "~~C~~" "B" felony if the person thereby causes serious  
1 15 injury to any person and guilty of a class "~~D~~" "C" felony if  
1 16 the person thereby causes any person a bodily injury other  
1 17 than a serious injury. The person is guilty of ~~an aggravated~~  
~~1 18 misdemeanor a class "D" felony~~ if no injury results.  
1 19 Sec. 3. Section 709.12, unnumbered paragraph 1, Code 2009,  
1 20 is amended to read as follows:  
1 21 A person eighteen years of age or older is upon conviction  
1 22 guilty of ~~an aggravated misdemeanor a class "D" felony~~ if the  
1 23 person commits any of the following acts with a child, not the  
1 24 person's spouse, with or without the child's consent, for the  
1 25 purpose of arousing or satisfying the sexual desires of either  
1 26 of them:  
1 27 Sec. 4. Section 709.14, Code 2009, is amended to read as  
1 28 follows:  
1 29 709.14 LASCIVIOUS CONDUCT WITH A MINOR.  
1 30 1. It is unlawful for a person over eighteen years of age  
1 31 who is in a position of authority over a minor to force,  
1 32 persuade, or coerce a minor, with or without consent, to  
1 33 disrobe or partially disrobe for the purpose of arousing or  
1 34 satisfying the sexual desires of either of them.  
1 35 2. Lascivious conduct with a minor is a ~~serious~~  
~~2 1 misdemeanor class "D" felony.~~  
2 2 EXPLANATION  
2 3 This bill relates to sexual criminal offenses committed  
2 4 against a minor.  
2 5 The bill increases the criminal penalty from a class "D"  
2 6 felony to a class "C" felony for lascivious acts with a child  
2 7 involving solicitation of a child to engage in a sex act or  
2 8 the infliction of pain or discomfort upon a child.  
2 9 The bill increases the criminal penalty for an assault with  
2 10 the intent to commit sexual abuse. The bill increases the  
2 11 penalty from a class "C" felony to a class "B" felony if such  
2 12 an assault causes serious injury. The bill increases the  
2 13 penalty from a class "D" felony to a class "C" felony if such  
2 14 an assault causes bodily injury. The bill increases the  
2 15 penalty from an aggravated misdemeanor to a class "D" felony  
2 16 if such an assault does not cause injury.  
2 17 The bill increases the criminal penalty for indecent  
2 18 contact with a child from an aggravated misdemeanor to a class  
2 19 "D" felony.  
2 20 The bill increases the criminal penalty for lascivious

2 21 conduct with a minor from a serious misdemeanor to a class "D"  
2 22 felony.  
2 23 LSB 2225HH 83  
2 24 jm/rj/8